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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,244	11/28/2001	Daniel Richard Schaefer	594826-001	3771

27805 7590 08/29/2008  
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Intellectual Property Group  
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EXAMINER
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PALABRICA, RICARDO J

ART UNIT	PAPER NUMBER
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3663

MAIL DATE	DELIVERY MODE
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08/29/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte DANIEL RICHARD,  
AND JAMES MICHAEL SNEAD

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Application No. 09/996,244  
Technology Center 3600

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Mailed: August 29, 2008

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Before DALE M. SHAW *Chief Appeals Administrator*.  
SHAW, *Chief Appeals Administrator*.

This application was received electronically at the Board of Patent Appeals and Interferences on April 9, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

Application No. 09/996,244

On September 27, 2007, an Examiner's Answer was entered into the record. On page 3 of the Examiner's Answer, the examiner cites "Jimenez-Vazquez, "Hot-atom incorporation of tritium atoms into fullerenes, 'Chemical Physics Letters," 21 October 1994, pp. 111-114" and Bolz et al. "CRC Handbook of Tables for Applied Engineering Science, published by the Chemical Rubber Co., p. 390 (1970)" as prior art. However, copies of the references are missing from the electronic file.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

- 1) to enter the missing references into the electronic file; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/dal

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